

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
TUESDAY, MAY 12, 1992  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:05 a.m. Mayor O'Connor recessed the meeting at 10:06 a.m. to meet in Closed Session in the 12th Floor Conference Room to discuss whether to initiate appropriate adjudicatory proceedings under the Hart/Scott/Rodino Act in regard to the proposed acquisition of the General Dynamics Missile Division by Hughes Aircraft. Mayor O'Connor reconvened the meeting at 10:36 a.m. with Council Member Filner not present. The meeting was recessed by Mayor O'Connor at 12:37 p.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor O'Connor at 2:07 p.m. with no quorum present. A quorum was present at 2:11 p.m. with Council Members Roberts, Hartley, Stevens and Filner not present. Mayor O'Connor advised that the City's consultants advised Council in Closed Session how to approach Hughes Aircraft regarding their purchase of General Dynamics, and how jobs in San Diego will be affected. Mayor O'Connor recessed the meeting to convene the Redevelopment Agency at 4:58 p.m.

Mayor O'Connor reconvened the meeting at 5:08 p.m. with all Council Members present. Mayor O'Connor recessed the meeting at 5:32 p.m. to meet in Closed Session in the 12th floor Conference Room to discuss a meet and confer item. Mayor O'Connor reconvened the meeting at 5:53 p.m. with all Council Members present. Mayor O'Connor adjourned the meeting at 5:56 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-Present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present

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- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (rb/ll)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Al Strohlein commending Mayor O'Connor.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B036-059.)

ITEM-117: (R-92-1708) CONTINUED TO MAY 26, 1992

Authorizing the City Manager to enter into consultant contracts with Brian F. Mooney, Ninyo & Moore, and Abel Parra, for engineering studies for the Upper San Diego River Improvement Project (USDRIP); authorizing the expenditure of an amount not to exceed \$26,200 from Fund 40012, Dept. 700, Org. 1001, Account 4151, Job Order 030525, for the above consultant contracts. (Lakeside Community Area.)

CITY MANAGER SUPPORTING INFORMATION: Since 1978 the City along with other property owners and the County have conducted

engineering, financial, feasibility, land planning and environmental studies to determine the feasibility of reclaiming river bottom property in the Upper San Diego River Improvement Project (USDRIP) located in Lakeside, CA. The City owns approximately 100 acres of property on either side of Riverford Road in the project area. The County, as lead agency, has recently made application to the U.S. Corp of Engineers to obtain a 404 Permit and other permits necessary to construct a channel through the project area, which when constructed would allow for industrial and commercial development outside the river channel. It is anticipated that the City will have about 60-70 acres of usable industrial property after the channel is constructed. The County is requesting that property owners, including the City enter into participation agreements to develop their property to insure the County that the redevelopment project will be completed. Prior to the City entering into the participation agreement with the County, staff recommends entering into consultant contracts with Ninyo & Moore for geotechnical and environmental assessments, Brian F. Mooney for land planning services and a biological survey, and Abel Parra for a sand resources potential assessment to determine the feasibility of developing our property. Once the results of the studies are reviewed by staff, a recommendation will be brought forward to Council concerning the City's continued participation in the project.

Aud. Certs. 9200848, 9200849, 9200850

FILE LOCATION:

COUNCIL ACTION: (Tape location: B028-036.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO MAY 26, 1992, AS REQUESTED BY THE CITY MANAGER, DUE TO QUESTIONS ABOUT CONTRACTING WITH WOMEN AND MINORITY OWNED BUSINESS ENTERPRISES. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-150: (O-92-130) INTRODUCED, TO BE ADOPTED MAY 26, 1992

Introduction of an Ordinance amending Chapter IX, Article 1, of the San Diego Municipal Code to incorporate and adopt the 1991 edition of the Uniform Building Code. (See City Manager Report CMR-92-101.)

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COMMITTEE ACTION: Reviewed by PSS on 4/1/92. Recommendation to approve the City Manager's Report and send to Council. Districts 1, 4, and 8 voted yea. Districts 2 and 3 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D369-390; J008-011.)

Motion by Wolfshiemer to approve Item 150 with the provision that the following sections are in conformance to the Zoning Code Update: Section 91.0303, 91.8402, as related to the definition of grade, and Section 91.8604. No second. Item was trailed to the afternoon session due to lack of time for discussion.

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201:

Two actions relative to TwinPorts Master Plan and Preservation of Study Area:

(Otay Mesa Community Area. District-8.)

Subitem-A: (R-92-1741) ADOPTED AS RESOLUTION R-279939

Declaring that the community planning area located south of the northernmost noise contour CNEL 65 is the area of study; declaring that the City Council continues its determination that it would not be appropriate to approve any specific plans or rezonings, or to take other discretionary actions which could allow such residential development pending a determination whether or not a major airport is to be built on Otay Mesa; this resolution shall be effective for one year following its date of adoption or until the City Council eliminates the Otay Mesa planning area as a potential site for new airport development, whichever occurs first.

Subitem-B: (R-92-1742) ADOPTED AS RESOLUTION R-279940

Authorizing the City Manager to apply for grant funding to the Federal Aviation Administration for the required funds to complete Phase I of the TwinPorts Master Plan.

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FILE LOCATION: LAND-Twin Ports Master Plan

COUNCIL ACTION: (Tape location: C044-D369.)

MOTION BY ROBERTS TO ADOPT THE ITEM EXTENDING THE MORATORIUM WITH THE PROVISION THAT IF AT AN EARLIER DATE THIS COUNCIL SHOULD DECIDE THAT IS NOT VIABLE, THAT THE MORATORIUM WOULD CEASE IMMEDIATELY. SECONDLY, IN DOING THAT, IT WILL CREATE THE OPPORTUNITY FOR US TO GET THE ADDITIONAL FUNDING FROM THE F.A.A. TO COMPLETE PHASE I. THIRDLY, REQUEST THAT MAYOR O'CONNOR DIRECT A TEAM OF COUNCIL MEMBERS, INCLUDING COUNCIL MEMBERS STALLINGS AND HARTLEY, TO GO TO MEXICO TO MEET, NOT ONLY WITH THE F.A.A., BUT WITH THOSE PROPER MEMBERS OF THE DEPARTMENT OF TRANSPORTATION AND WITH THE MEXICAN GOVERNMENT, AND TO RETURN WITH A REPORT FOR THE FULL COUNCIL ASSESSING THEIR FEELINGS WITH RESPECT TO WORKING WITH MEXICO. ALSO, INCLUDE COUNCIL MEMBER STALLINGS' RECOMMENDATION TO EXPEDITE THE GROUND TRANSIT AND THE ENVIRONMENTAL STUDIES, AND AT THE SAME TIME THAT WE RECEIVE THE FUNDING, REQUEST STAFF TO COME BACK WITH A SCHEDULE THAT WOULD INCLUDE SOME REVIEWS BY THE COUNCIL PRIOR TO THE COMPLETION OF THE FULL PRODUCT. Second by Behr. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-203: (R-92-1671) ADOPTED AS RESOLUTION R-279941

Approving the issuance of not to exceed \$1.5 million aggregate principal amount of Industrial Development Revenue Bonds. (Mount Hope Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Jaygee Realty Col. ("the applicant"), a real estate investment company based in San Diego, has requested that the City hold a public hearing supporting issuance by the California Statewide Communities Development Authority Joint Powers Agency ("the JPA") of up to \$1,500,000 of Industrial Development Bonds ("IDB's") for the purpose of financing a facility to be operated by Figi Graphics ("the company") at 3636 Gateway Center. The JPA has passed its inducement resolution for the project and will be the Issuer. The City's name will not appear on the bonds, and there will be no further City involvement in the transaction. The project must meet strict state and federal public benefit considerations, including the creation of one new job for each \$50,000 of IDB's. The JPA has issued approximately half the IDB's completed in California in recent years and is endorsed by The League of California Cities and the County Supervisor's Association of

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California. The JPA issues only investment grade bonds. The Company, a printing and giftware manufacturer, is locally headquartered and is expanding. It intends to construct a 34,000 square-foot facility to expand its plant in the Gateway Center East Industrial Park, creating 35 to 40 new jobs in the Mount Hope Redevelopment Area and the Southeast/Barrio Logan Enterprise Zone. By approving this financing through the JPA, the Council will be supporting the growth and diversification of the local economy without any financial obligation on the part of the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H158-332.)

Hearing began 4:25 p.m. and halted 4:40 p.m.

MOTION BY STEVENS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**ITEM-204:**

Four actions relative to the Fiscal Year 1992-93 Salary Ordinance and related Resolutions:

Subitem-A: (O-92-144) INTRODUCED AS AMENDED, TO BE  
ADOPTED MAY 26, 1992

Introduction of an Ordinance establishing a schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year, 1992-93 (Salary Ordinance).

Subitem-B: (R-92-1726) ADOPTED AS RESOLUTION R-279942

Adoption of a Resolution establishing overtime eligibility of classifications in the Classified Service.

Subitem-C: (R-92-1727) ADOPTED AS RESOLUTION R-279943

Adoption of a Resolution amending employee representation units to add new classifications and remove deleted classifications from existing appropriate units as established in the Fiscal Year 1992-93 Salary Ordinance.

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Subitem-D: (R-92-1728) ADOPTED AS RESOLUTION R-279944

Adoption of a Resolution authorizing classifications  
eligible for the management benefits plan.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J013-030.)

MOTION BY BEHR TO INTRODUCE AS AMENDED SUBITEM-A AND ADOPT  
SUBITEMS-B,C, AND D. AMENDMENTS TO ORDINANCE AS FOLLOWS:  
PAGE 6 OF 23 "...EXCEPT THAT IN THE EVENT AGREEMENT IS  
REACHED BETWEEN THE CITY OF SAN DIEGO AND ANY RECOGNIZED  
EMPLOYEE ORGANIZATION PRIOR TO THE DATE OF ADOPTION OF THIS  
ORDINANCE TO SUBSTITUTE THE SPECIFIED SALARY INCREASES SET  
FORTH IN EXHIBITS A-1 AND A-2 WITH A 1% INCREASE ON JULY 1,  
1992, A 1% INCREASE ON JANUARY 2, 1993, AND A 1% INCREASE ON  
JUNE 5, 1993, SAID SUBSTITUTED INCREASE SHALL PREVAIL OVER  
THE INCREASES CONTAINED IN EXHIBITS A-1 AND A-2 FOR THE  
CLASSES REPRESENTED BY THE AGREEING RECOGNIZED EMPLOYEE  
ORGANIZATIONS...."AND PAGE 19 OF 23, "...UPON ACCEPTANCE OF  
THE REDUCED COMPENSATION SCHEDULE SET FORTH IN SECTION 4 OF  
THIS ORDINANCE, SAFETY EMPLOYEES IN THE POLICE AND  
FIREFIGHTERS BARGAINING UNIT SHALL BE ENTITLED TO AN  
ADDITIONAL .5 PERCENT INCREASE IN CITY RETIREMENT  
CONTRIBUTIONS..." Second by Stevens. Passed by the  
following vote: Wolfsheimer-yea, Roberts-not present,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-330:

Two actions relative to the Sabre Springs Facilities  
Benefit Assessment: (See City Manager Report CMR-92-83.  
Located east of I-15 and north and south of Poway Road.  
District-5.)

Subitem-A: (R-92-1298) ADOPTED AS RESOLUTION R-279945

Designating an area of benefit in Sabre Springs;  
confirming the description of public facilities  
projects, the Community Financing Plan and Capital  
Improvement Program, the method for apportioning the  
costs of the public facilities projects among the  
parcels within the area of benefit, and the amount of  
the facilities benefit assessments charged to each  
parcel; the basis and methodology for assessing and  
levying discretionary automatic annual increases in  
Facilities Benefit Assessments; and ordering the

proposed public facilities project in the matter of the Sabre Springs Facilities Benefit Assessment Area.

Subitem-B: (R-92-1299) ADOPTED AS RESOLUTION R-279946

Adopting the Assessment Fee Schedule contained in the Sabre Springs Public Facilities Financing Plan, as adopted in R-279777; declaring it to be an appropriate and applicable development impact fee for all properties within the Sabre Springs Community that have either never been assessed under the Sabre Springs Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

FILE LOCATION: STRT FB-9

COUNCIL ACTION: (Tape location: H337-350.)

Hearing began 3:02 p.m. and halted 3:05 p.m.

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (O-92-82) CONTINUED TO JUNE 8, 1992

Proposal to amend the San Diego Municipal Code by amending Sections 101.0101.20, 101.0407 and 101.0463 and by adding Section 101.0101.76.1 relating to definitions of the terms "Family," "Single Housekeeping Unit" and "One Family Dwelling," making technical changes to the rental regulations and the regulations affecting property within single family residential zones, and in particular, the One-Family Dwelling Rental Zone, designated C-841 on file in the Office of the City Clerk.

LOCAL COASTAL PROGRAM: The proposed amendment to the Municipal Code also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission. (City-Wide)(Reviewed by TP&E on July 22, 1991. Recommended approval of the new definition for "Single Housekeeping Unit" and "Dwelling, Single Residential" as submitted by Mr.



Barry J. Schultz in the letter dated July 18, 1991, and as further amended by Chairperson Wolfsheimer. Districts 1, 2, 4 & 5 voted yea; District 8 not present.)

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B057-179.)

Testimony by Tracy Morgan, representing the San Diego Association of Realtors, regarding the continuance.

MOTION BY WOLFSHEIMER TO CONTINUE TO JUNE 8, 1992, TO ALLOW TIME TO REVIEW BACKGROUND MATERIALS AND FOR THE ITEM TO BE DISCUSSED AT THE TP&E COMMITTEE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: RETURNED TO THE CITY MANAGER

(Continued from the meeting of May 12, 1992, Item 333, at the City Manager's request, to allow the Otay Water District to sign the Utility Agreement.)

Three actions relative to De La Fuente Business Park, Phase II - Assessment District No. 4021 (1913 Improvement Act):  
(Otay Mesa Community Area. District-8.)

Subitem-A: (R-92-1662)

Approving the Contract for Ownership of Improvements.

Subitem-B: (R-92-1663)

Confirming the assessment, ordering the improvements made, together with appurtenances, and approving the City Engineer's Report.

Subitem-C: (R-92-1664)

Authorizing certain assessment district bonds to be sold at a public sale and directing a call for sealed bids.

FILE LOCATION: STRT D-2283

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COUNCIL ACTION: (Tape location: B037-056.)

MOTION BY McCARTY TO RETURN THE ITEM TO THE CITY MANAGER DUE TO DOCUMENTS NOT RECEIVED FROM THE DEVELOPER. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-92-1501) CONTINUED TO MAY 26, 1992

(Continued from the meeting of April 21, 1992, Item 209, and April 28, 1992, Item S502, at the City Manager's request, due to lack of time.)

Requesting Congress and the President of the United States to amend the Fair Labor Standards Act (FLSA) to exempt public sector executive, administrative and professional salaried employees from the salary basis test to determine eligibility for overtime premium payments and in particular to enact S.1670 (Seymour) and H.R.4570 (Lowery); directing the Department of Legislative Services and Washington Advocates to vigorously represent the City's position on this vital issue. (See Department of Legislative Services Report DLS-92-12.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: E134-137.)

MOTION BY FILNER TO CONTINUE TO MAY 26, 1992 IN ORDER FOR THE FIRE FIGHTERS TO BE PRESENT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (O-92-106) INTRODUCED, TO BE ADOPTED MAY 26, 1992

(Continued from the meeting of April 28, 1992, Item 337, due to lack of time.)

A proposal to amend the San Diego Municipal Code by amending Chapter X, Article 1, Divisions 4 and 11 and Chapter IX, Article 5, Division 1 relating to City-Wide Sign Regulations for Commercial and Industrial Zones by:

1. Consideration of the allowance for additional signage for properties four acres or more which abut freeways.
2. Consideration of the expansion of banner programs.
3. Consideration of the allowance for directory signage for industrial properties.
4. Consideration of an increase in "rent", "lease" and "for sale" signage permitted in multi-family residential zones.
5. Miscellaneous corrections, additions and modifications to the Sign Code to clarify ambiguous language.

The proposed amendment to the Municipal Code also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission. Introduction of an Ordinance amending the Municipal Code.

FILE LOCATION:

COUNCIL ACTION: (Tape location: I086-190; I214-608.)

Hearing began 4:38 p.m. and recessed 4:50 p.m.; began again 5:00 p.m. and halted 5:30 p.m.

MOTION BY McCARTY TO INTRODUCE ORDINANCE RELATING TO CONSIDERATION OF THE ALLOWANCE FOR ADDITIONAL SIGNAGE FOR PROPERTIES FOUR ACRES OR MORE WHICH ABUT FREEWAYS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO INTRODUCE ORDINANCE RELATING TO CONSIDERATION OF THE EXPANSION OF BANNER PROGRAMS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO INTRODUCE ORDINANCE RELATING TO CONSIDERATION OF THE ALLOWANCE FOR DIRECTORY SIGNAGE FOR INDUSTRIAL PROPERTIES. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO INTRODUCE ORDINANCE RELATING TO CONSIDERATION OF AN INCREASE IN "RENT", "LEASE" AND "FOR SALE" SIGNAGE PERMITTED IN MULTI-FAMILY RESIDENTIAL ZONES. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO INTRODUCE ORDINANCE RELATING TO MISCELLANEOUS CORRECTIONS, ADDITIONS AND MODIFICATIONS TO THE SIGN CODE TO CLARIFY AMBIGUOUS LANGUAGE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Roberts to refer to the City Manager the matter of removal of illegal election signs and all other types of signage found throughout the City and to request the City Manager to bring back to Council a report for the control of such signage in the future. Second by McCarty. Passed by the following vote. Yeas-1,2,4,5,6,7,8,M; Nays-3.

ITEM-335:

Appeal of Michel Anderson for Community Services Corporation from the decision of the Planning Commission in denying Conditional Use Permit and Coastal Development Permit 91-0711 to convert two existing industrial buildings for the use of a Private Work Furlough Facility(Sorrento Valley Counseling Complex). The subject property, containing 3.2 acres, is located at 11339 and 11353 Sorrento Valley Road and is more particularly described as Lots 13 and 14 of Via Sorrento Valley Industrial Park, Unit No. 3, Map-5693. The M-1A/FPF zoned site is within the Torrey Pines Community Plan Area. (CUP/CDP-91-0711. District-1.)

Subitem-A: (R-92-1921) ADOPTED AS RESOLUTION R-279947

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-91-0711 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration, mitigation, monitoring and reporting program have been reviewed and considered by the Council.

Subitem-B: (R-92-1922) ADOPTED AS RESOLUTION  
R-279948, GRANTING APPEAL AND  
GRANTING CONDITIONAL USE  
PERMIT

Adoption of a Resolution granting or denying the appeal  
and granting or denying the Conditional Use Permit,  
with appropriate findings to support Council action.

Subitem-C: (R-92-1023) ADOPTED AS RESOLUTION  
R-279949 GRANTING APPEAL  
AND GRANTING COASTAL DEVELOPMENT  
PERMIT

Adoption of a Resolution granting or denying the appeal  
and granting or denying the Coastal Development Permit,  
with appropriate findings to support Council action.

NOTE: On April 27, 1992 Council voted unanimously to hear  
the appeal.

FILE LOCATION: Subitem-A: PERM CUP/CDP-91-0711;  
Subitem-B: PERM-CUP 91-0711;  
Subitem-C: PERM-CDP 910711

COUNCIL ACTION: (Tape location: E136-F490; G015-H153.)

Hearing began 2:19 p.m. and recessed 3:25 p.m.; began again  
at 3:35 p.m. and halted 4:25 p.m.

Testimony in favor by Michel Anderson; Edward Meyer; David  
Fleming, Ernie Wright. Testimony in opposition by Donald  
Worley, Trudy Zwerenz, Robert Dalry, Elena Juarez, Sue  
Callahan, Ben Foley, Bruce Boyle.

MOTION BY WOLFSHEIMER TO ADOPT AND GRANT THE APPEALS AND  
GRANT THE CUP AND CDP PERMITS WITH THE FOLLOWING INCLUSIONS:  
TWO TRANSIT CENTERS TO BE INCLUDED IF FEASIBLE AND  
NECESSARY; SECURITY CHECKS ARE TO BE DONE FOR OPERATORS OF  
ALL FACILITIES, PARTICULARLY THOSE WHO HAVE NOT DONE  
BUSINESS IN SAN DIEGO AND DIRECT THE CITY MANAGER TO WORK  
WITH THE POLICE DEPARTMENT TO CONDUCT THESE BACKGROUND  
CHECKS; INITIAL CAPACITY OF FACILITY WILL HOUSE 250  
RESIDENTS WITH A REVIEW IN SIX MONTHS TO BE BROUGHT BEFORE  
COUNCIL. IF THERE IS APPROVAL OF THE PROGRESS OF THE  
FACILITY, THEN THE OPERATOR CAN PROCEED TO ADD THE BALANCE  
OF 188 RESIDENTS BRINGING THE TOTAL TO 438 MAXIMUM; A  
RESIDENT WILL NOT QUALIFY AND CANNOT RESIDE IN THESE  
FACILITIES IF THEY HAVE COMMITTED ANY SEX OFFENSE, FELONY OR  
MISDEMEANOR, INVOLVING A CHILD; REVISED LANGUAGE TO BE  
WRITTEN TO CLARIFY WHO CAN RESIDE AT THESE FACILITIES AND

WILL APPLY TO ALL FACILITIES, NO MATTER WHAT LOCATION.  
Second by Stevens. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

Motion by Roberts to direct staff that if an applicant comes  
to the City to build another such facility that the City  
look into those areas where a facility does not currently  
exist in an effort to spread these facilities evenly  
throughout the City. Passed by the following vote:  
Yeas-1,2,3,4,5,6,7,8,M. Nays-none.

Motion by Roberts to request the City Manager to prepare a  
resolution requesting the District Attorney to approach the  
County Board of Supervisors to open their entire jail  
facility, not just the minimum facility as soon as possible.  
Passed by the following vote: Yeas-1,2,3,4,5,6,7,8,M.  
Nays-none.

ITEM-336: CONTINUED TO JUNE 16, 1992

(Continued from the meeting of February 25, 1992, Item  
335, at Councilmember Stevens' request to refer the  
item to TPE for review.) The review and amendment of  
the Multifamily Parking Requirements (Ordinance No.  
O-17343), in response to City Council directives to  
review the effectiveness of the Multifamily Parking  
Requirements and to delete the tandem parking option.  
Tandem parking is a minimum 8.5 foot by 35 foot parking  
space for two automobiles, one parked behind the other.  
The ordinance is effective citywide, except in any R-1  
Zone, the La Jolla Planned District, the La Jolla  
Shores Planned District, the Mission Beach Planned  
District, the Marina Planned District, the Gaslamp  
Planned District, and Centre City. (Citywide.)

Subitem-A: (O-92-90)

Introduction of an Ordinance amending Chapter X,  
Article 1, Division 1, of the San Diego Municipal Code  
by amending Section 101.0101.55 relating to transit  
corridors.

Subitem-B: (O-92-91)

Introduction of an Ordinance amending Chapter X,  
Article 1, Division 8, of the San Diego Municipal Code  
by amending Section 101.0821 relating to tandem  
parking.

Subitem-C: (O-92-92)

Introduction of an Ordinance amending Chapter X,  
Article 1, Division 8, of the San Diego Municipal Code  
by amending Section 101.0835 relating to Multi-Family  
Residential Parking regulations.

FILE LOCATION:

COUNCIL ACTION: (Tape location: I190-210.)

MOTION BY BEHR TO CONTINUE TO JUNE 16, 1992. Second by  
Hartley. Passed by the following vote: Wolfsheimer-yea,  
Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337:

Two actions relative to the Business Improvement  
District Budgets for Fiscal Year 1993: (Dists. 1, 2  
and 3) (Mid-City, Hillcrest, Mission Hills, Centre  
City, Ocean Beach, and La Jolla Community Areas.  
Districts 1, 2 and 3.)

Subitem-A: (R-92-1716) ADOPTED AS RESOLUTION R-279950

Accepting the budget report for each Business  
Improvement District for July 1, 1992 through June 30,  
1993 (Fiscal Year 1993).

Subitem-B: (R-92-1717) ADOPTED AS RESOLUTION R-279951

Resolution of Intention to levy an annual assessment  
for each previously established Business Improvement  
District for Fiscal Year 1993 and fix June 1, 1992, as  
the noticed public hearing for that purpose.

CITY MANAGER SUPPORTING INFORMATION: Business Improvement  
Districts (BIDs) are authorized by State law to assess benefitted  
businesses for the cost of certain improvement activities. These  
activities are generally promotional in nature. Once a BID is  
established, the City collects the assessments and disburses them  
to an appropriate entity representing the district pursuant to an  
annual operating agreement.

There are currently 11 active districts in the City of San Diego:  
Adams Avenue, City Heights, Downtown, El Cajon Blvd.-Gateway, El  
Cajon Blvd. Central, Gaslamp, Hillcrest, La Jolla, Mission Hills,  
North Park and Ocean Beach. State law requires that the City

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Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The actions being taken today accept the budget reports and set Monday, June 1, 1992 for the public hearing to levy the proposed assessment for each BID for FY 1993.

FILE LOCATION: STRT-L-1, L-2, L-12, L-5, L-8, L-6, L-9,  
L-3, L-4, L-7 & L-11

COUNCIL ACTION: (Tape location: H337-350.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: (R-92-1715) ADOPTED AS RESOLUTION R-279952

Adoption of a Resolution of Intention to hold a hearing to amend the Ordinance collecting assessments for the La Jolla Business Improvement District (La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Both Promote La Jolla, Inc. and other interested parties have made recommendations concerning modifications to both the zone and fee structure of the La Jolla Business Improvement District. State law requires that a public hearing be held to consider such changes. This action would set June 1, 1992 as the date for such a hearing.

FILE LOCATION: STRT-L-2

COUNCIL ACTION: (Tape location: H337-350.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-92-1744) ADOPTED AS RESOLUTION R-279953

(Continued from the meeting of May 4, 1992, Item S404, at Councilmember Wolfsheimer's request, to allow time to discuss the name of Route 56 with the affected communities.)



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Request from Councilmember Roberts for Council approval to the naming of Route 56 (North City Parkway) as the Ted Williams Parkway. (District-1.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H354-I038.)

MOTION BY ROBERTS TO ADOPT AND REQUEST THE CITY MANAGER TO LOOK INTO THE POSSIBILITY OF NAMING SOMETHING, POSSIBLY THE RECREATION CENTER IN NORTH PARK AFTER TED WILLIAMS AS THAT'S WHERE HE GREW UP AND STARTED HIS CAREER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S409: (O-92-120) INTRODUCED AS AMENDED, TO BE ADOPTED MAY 26, 1992

(Continued from the meetings of March 31, 1992, Item 333, April 28, 1992, Item 339, and May 5, 1992, Item S500; at Councilmember Hartley's request, for further review.) Matter of amending the San Diego Municipal Code by adding Chapter XI relating to land development administration and procedures (Zoning Code Update). The amendment includes revisions to such matters as application procedures, public noticing, decision-making bodies and appeal procedures. The proposed amendment also constitutes an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed amendment must be submitted to the California Coastal Commission for review and certification. The proposed amendment is not effective in the Coastal zone until after approval by the California Coastal Commission.

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B178-C038.)

Hearing began at 11:01 a.m. and halted at 11:30 a.m.

Testimony in favor by Opal Trueblood and Dick Smith.

Motion by Wolfsheimer to incorporate Category "A" changes, and that Category "B" changes be referred to the City

Attorney for refinement and editing. Second by Filner. No vote.

SUBSTITUTE MOTION BY McCARTY TO INTRODUCE AS AMENDED, APPROVING THE COMMITTEE'S RECOMMENDATION TO INCLUDE CATEGORY "A" CHANGES AS PRESENTED BY MR. ZOBELL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to send Category "B" to the City Attorney and City Manager for further refining and editing. Second by Filner. Failed. Yeas: 1,8. Nays: 2,4,5,6,7,M. Not present: 3.

ITEM-S500: (R-92-1765) ADOPTED AS RESOLUTION R-279954

Supporting and honoring the Community Dispute Resolution Trust, which encourages the establishment of a National network of autonomous local community dispute resolution centers throughout South Africa, and which has designated a 23 member delegation to tour the United States.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F490-G007.)

BY COMMON CONSENT ITEM WAS ADOPTED WITH ALL MEMBERS PRESENT.

ITEM-S501: (R-92-1748) ADOPTED AS RESOLUTION R-279955

Commending Ann Dash for her contributions to the City's Transportation Demand Management Program and for her unflagging dedication to the furthering of alternative forms of transportation in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E066-108.)

MOTION BY BEHR TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S502: (R-92-1565) CONTINUED TO MAY 26, 1992

Declaring CCA Construction Inc., in default and to be a nonresponsive contractor in the construction of Fire Station 24; authorizing the Engineering and Development Department, Field Division, to act as the general contractor in order to complete the project; debarring CCA Construction Inc. from submitting bids to the City of San Diego for a period of three years.  
(BID-K1817/91)

(North City West Community Area. District-1.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: B056-057.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO MAY 26, 1992, AS RECOMMENDED BY THE CITY MANAGER, DUE TO PROBLEMS NOTICING THE CONTRACTOR. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

ITEM-ND-1:

(O-92-141) INTRODUCED, TO BE ADOPTED MAY 26, 1992

Introduction of an ordinance amending the San Diego Municipal Code concerning City Employee's Retirement Benefits.

(R-92-1722) ADOPTED AS RESOLUTION R-279956

Adoption of a Resolution authorizing an agreement with the Board of Administration, Public Employees' Retirement System and the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I042-078.)

MOTION BY McCARTY TO ACCEPT THE ITEM FOR CONSIDERATION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

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MOTION BY STEVENS TO INTRODUCE ORDINANCE AND ADOPT RESOLUTION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

COUNCIL COMMENT:           REFERRED TO THE CITY MANAGER AND CITY ATTORNEY

ITEM-CC-1:

Comments by Council Member Behr relating to the City possibly bidding on a Department of Defense site (in particularly, the Sander Site).

FILE LOCATION:           AGENDA

COUNCIL ACTION:           (Tape location: A437-B027.)

MOTION BY STEVENS TO REFER THE COMMENTS BY COUNCIL MEMBER BEHR TO THE CITY MANAGER AND THE CITY ATTORNEY FOR REVIEW. MAYOR O'CONNOR DIRECTED THE CITY MANAGER TO WORK WITH THE ECONOMIC DEVELOPMENT DIVISION AND RETURN TO COUNCIL WITH A PROPOSAL PACKAGE WITHIN TWO WEEKS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 5:56 p.m.

FILE LOCATION:           MINUTES

COUNCIL ACTION:           (Tape location: J032).